

UNITED STATES DEPARTMENT OF STATE
BUREAU OF POLITICAL-MILITARY AFFAIRS
WASHINGTON, DC 20520

In the Matter of:

VTA Telecom Corporation

Respondent

CONSENT AGREEMENT

WHEREAS, the Directorate of Defense Trade Controls, Bureau of Political-Military Affairs, U.S. Department of State ("Department") has notified VTA Telecom Corporation ("Respondent") of its intent to institute an administrative proceeding pursuant to § 38 of the Arms Export Control Act ("AECA"), 22 U.S.C. 2751 *et seq.*, and its implementing regulations, the International Traffic in Arms Regulations ("ITAR"), 22 CFR parts 120-130;

WHEREAS, Respondent has reviewed the Proposed Charging Letter and Consent Agreement, fully understands these documents, and enters into this Consent Agreement voluntarily and with full knowledge of its rights;

WHEREAS, Respondent neither admits nor denies the allegations contained in the Proposed Charging Letter but wishes to settle and dispose of all potential ITAR civil charges, penalties, and sanctions arising from the Proposed Charging Letter by entering into this Consent Agreement;

WHEREAS, Respondent agrees that if the Department finds that this Consent Agreement was negotiated based on Respondent knowingly providing materially false or misleading information to the Department, the Department may revoke this Consent Agreement and the related administrative order ("Order") and bring additional charges against Respondent. Additionally, Respondent understands that a violation of this Consent Agreement is considered a violation of the Order; and

WHEREAS, the Department and Respondent agree to be bound by this Consent Agreement and the Order to be entered by the Assistant Secretary of State for Political-Military Affairs.

Now, WHEREFORE, the Department and Respondent agree as follows:

Parties

(1) The Parties to this Consent Agreement are the Department and Respondent.

Jurisdiction

(2) The Department has jurisdiction over Respondent under the AECA and the ITAR in connection with the matters identified in the Proposed Charging Letter.

Debarment

(3) Pursuant to ITAR § 127.7(a), the Department may administratively debar and thereby prohibit any person from participating directly or indirectly in any transaction that is subject to the ITAR, if that person satisfies the basis for administrative debarment in ITAR § 127.7(c)(2). ITAR § 127.7(c)(2) provides that the basis for administrative debarment is any violation of § 38 of the AECA or any violation of the ITAR when such a violation is of such a character as to provide a reasonable basis for the Directorate of Defense Trade Controls to believe that the violator cannot be relied upon to comply with the AECA or the ITAR in the future, and when such a violation is established in accordance with part 128 of the ITAR. The Department has determined that the Respondent satisfies the basis for administrative debarment in ITAR § 127.7(c)(2) and will impose an administrative debarment against Respondent in accordance with ITAR § 127.7(a) for a period of three years, commencing on the date of signature of the Order. Respondent agrees to be subject to such administrative debarment. Reinstatement is not automatic, and Respondent must submit a request for reinstatement and be approved for reinstatement before engaging in any activities subject to the ITAR.

Understandings:

(4) No agreement, understanding, representation or interpretation not contained in this Consent Agreement may be used to vary or otherwise affect the terms of this Consent Agreement or the Order, when entered,

nor shall this Consent Agreement serve to bind, constrain, or otherwise limit any action by any other agency or department of the United States Government with respect to the facts and circumstances addressed in the Proposed Charging Letter. Respondent acknowledges and accepts that there is no understanding expressed or implied through this Consent Agreement with respect to a final decision by the Department concerning export licenses or other U.S. government authorizations.

(5) Respondent acknowledges the nature and seriousness of the offenses charged in the Proposed Charging Letter, including the potential risk of harm to the security and foreign policy interests of the United States. If this Consent Agreement is not approved pursuant to an Order entered by the Assistant Secretary for Political-Military Affairs, the Department and Respondent agree that they may not use this Consent Agreement in any administrative or judicial proceeding, and that the parties shall not be bound by the terms contained in this Consent Agreement.

(6) The Department agrees that, upon signing of the Order, this Consent Agreement resolves, with respect to Respondent, the civil penalties and administrative sanctions with respect to civil violations of the AECA or the ITAR arising from facts set forth in the Proposed Charging Letter.

(7) Respondent shall not dispute or deny, directly or indirectly, the allegations contained in the Proposed Charging Letter, the Order, or this Consent Agreement or take any position contrary thereto in any public statement. The foregoing does not affect the Respondent's testimonial obligations in any administrative or judicial proceeding, nor does it affect the Respondent's right to take legal or factual positions in civil litigation or other civil proceedings in which the U.S. Department of State is not a party.

Waiver

(8) Respondent waives, upon the signing of the Order, all rights to seek any further steps in this matter, including an administrative hearing pursuant to Part 128 of the ITAR.

Documents to be made public

(9) Respondent understands that the Department shall make this Consent Agreement, the Proposed Charging Letter, and the Order, when entered, available to the public.

When Order Becomes Effective

(10) This Consent Agreement shall become binding on the Department only when the Assistant Secretary for Political-Military Affairs approves it by entering the Order, which shall have the same force and effect as a decision and Order issued after a full administrative hearing on the record.

U.S. Department of State



Jessica A. Lewis
Assistant Secretary

4/20/23
Date

VTA Telecom Corporation



VTA Telecom Corporation

3/20/2023
Date